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Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burundi, Cameroon, Canada, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Kenya, Lesotho, Liberia, Liechtenstein, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Zambia and Zimbabwe: draft resolution

Strengthening of the rule of law

The General Assembly,

Recalling that, by adopting the Universal Declaration of Human Rights,[1] fifty years ago, Member States pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

[1] Resolution 217 A (III).

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Firmly convinced that the rule of law is an essential factor in the protection of human rights, as stressed in the Declaration, and should continue to attract the attention of the international community,

Convinced that, through their own national legal and judicial systems, States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Recognizing the importance of the role that can be played by the Office of the United Nations High Commissioner for Human Rights in supporting national efforts to strengthen the institutions of the rule of law,

Bearing in mind that, in its resolution 48/141 of 20 December 1993, the General Assembly entrusted the United Nations High Commissioner for Human Rights with, *inter alia*, providing advisory services and technical and financial assistance in the field of human rights, enhancing international cooperation for the promotion and protection of all human rights and coordinating human rights activities throughout the United Nations system,

Recalling the recommendation of the World Conference on Human Rights, which was held at Vienna from 14 to 25 June 1993, that a comprehensive programme be established within the United Nations with a view to helping States in the task of building and strengthening adequate national structures that have a direct impact on the overall observance of human rights and the maintenance of the rule of law,[2]

Bearing in mind that the Office of the High Commissioner remains the focal point for coordinating system-wide attention to human rights, democracy and the rule of law,

Recalling its resolution 52/125 of 12 December 1997 and Commission on Human Rights resolution 1997/48 of 11 April 1997,[3]

1. *Welcomes* the report of the Secretary-General;[4]

2. *Takes note with appreciation* of the increasing number of Member States seeking assistance in strengthening and consolidating the rule of law;

3. *Praises* the efforts made by the Office of the United Nations High Commissioner for Human Rights to accomplish its ever-increasing tasks with the limited financial and personnel resources at its disposal;

4. *Expresses its deep concern* at the scarcity of means at the disposal of the Office of the High Commissioner for the fulfilment of its tasks;

5. *Notes* that the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights does not have sufficient funds to provide any substantial financial assistance to national projects that have a direct impact on the realization of human rights and the maintenance of the rule of law in countries that are committed to those ends but that face economic hardship;

6. *Welcomes* the deepening of the ongoing cooperation between the United Nations High Commissioner for Human Rights and other relevant bodies and programmes of the United Nations system, with a view to enhancing system-wide coordination of assistance

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[2] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 69.

[3] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. A.

[4] A/53/309

in human rights, democracy and the rule of law, as exemplified by the recent conclusion of a Memorandum of Understanding with the United Nations Development Programme designed to increase coordination, mutual support, efficiency and the effectiveness of rule of law assistance programming;

7. *Encourages* the High Commissioner to continue the dialogue with other organs and agencies of the United Nations system, taking into account the need to explore new synergies with a view to obtaining increased financial assistance for human rights and the rule of law;

8. *Also encourages* the High Commissioner to continue to explore the possibility of further contact with and support of financial institutions, acting within their mandates, with a view to obtaining technical and financial means to strengthen the capacity of the Office of the High Commissioner to provide assistance to national projects aiming at the realization of human rights and the maintenance of the rule of law;

9. *Requests* the High Commissioner to continue to accord high priority to the technical cooperation activities undertaken by her Office with regard to the rule of law;

10. *Expresses its appreciation* to the efforts made by the High Commissioner to undertake an analysis of the technical cooperation provided by the United Nations in the field of human rights with the aim of formulating recommendations for inter-agency coordination, funding and allocation of responsibilities in order to improve efficiency and complementarity of action concerning, *inter alia*, assistance to States in strengthening the rule of law;

11. *Requests* the Secretary-General to submit a report to the General Assembly at its fifty-fifth session on the results of the contacts established in accordance with the present resolution, as well as on any other developments pertaining to the implementation of the above-mentioned recommendation of the World Conference on Human Rights.